

103D CONGRESS
1ST SESSION

H. R. 723

To amend the Immigration and Nationality Act to expedite the deportation and exclusion of criminal aliens.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1993

Mr. LEWIS of Florida (for himself, Mr. MCCOLLUM, Mr. LEHMAN, Mr. GINGRICH, Mr. HYDE, Mr. SOLOMON, Mr. LIVINGSTON, Mr. SHAW, Mr. BILIRAKIS, Mr. OXLEY, Mr. SENSENBRENNER, Mr. GOSS, Mr. McMILLAN, Mr. GREENWOOD, Mr. PACKARD, Mr. STUMP, Mr. WELDON, Mr. WALSH, Mr. BARTLETT of Maryland, Mr. BAKER of California, Mr. MICA, Mr. JOHNSON of Texas, and Mr. MILLER of Florida) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to expedite the deportation and exclusion of criminal aliens.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Criminal Alien Depor-
5 tation and Exclusion Amendments of 1993”.

1 **SEC. 2. EXPEDITING CRIMINAL ALIEN DEPORTATION AND**
2 **EXCLUSION.**

3 (a) CONVICTED DEFINED.—Section 241(a)(2) of the
4 Immigration and Nationality Act (8 U.S.C. 1251(a)(2))
5 is amended by adding at the end the following new sub-
6 paragraph:

7 “(E) CONVICTED DEFINED.—In this para-
8 graph, the term ‘convicted’ means a judge or
9 jury has found the alien guilty or the alien has
10 entered a plea of guilty or nolo contendere,
11 whether or not the alien appeals therefrom.”.

12 (b) DEPORTATION OF CONVICTED ALIENS.—

13 (1) IMMEDIATE DEPORTATION.—Section 242(h)
14 of such Act (8 U.S.C. 1252(h)) is amended—

15 (A) by striking “(h) An alien” and insert-
16 ing “(h)(1) Subject to paragraph (2), an alien”;

17 (B) by adding at the end the following new
18 paragraph:

19 “(2) An alien sentenced to imprisonment may be de-
20 ported prior to the termination of such imprisonment by
21 the release of the alien from confinement, if the Service
22 petitions the appropriate court or other entity with author-
23 ity concerning the alien to release the alien into the
24 custody of the Service for execution of an order of
25 deportation.”.

1 (2) PROHIBITION OF REENTRY INTO THE UNIT-
2 ED STATES.—Section 212(a)(2) of such Act (8
3 U.S.C. 1182(a)(2)) is amended—

4 (A) by redesignating subparagraph (F) as
5 subparagraph (G); and

6 (B) by inserting after subparagraph (E)
7 the following new subparagraph:

8 “(F) ALIENS DEPORTED BEFORE SERVING
9 MINIMUM PERIOD OF CONFINEMENT.—An alien
10 deported pursuant to section 242(h)(2) is ex-
11 cludable during the minimum period of confine-
12 ment to which the alien was sentenced.”.

13 (c) EXECUTION OF DEPORTATION ORDERS.—Section
14 242(i) of such Act (8 U.S.C. 1252(i)) is amended by add-
15 ing at the end the following: “An order of deportation may
16 not be executed until all direct appeals relating to the con-
17 viction which is the basis of the deportation order have
18 been exhausted.”.

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